

**REMARKS**

Claims 1-15 are pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

**REJECTIONS UNDER 35 U.S.C. § 112**

Claims 1 – 15 stand rejected under 35 U.S.C. § 112. Claim 1, Claim 3, Claim 4, Claim 6, Claim 8 and Claim 10 have been amended such that the phrase “can be supported” is replaced by the phrase “is supported” or by the source or detector “supported”. Therefore, rejections based on 35 U.S.C. 112 are respectively traversed and reconsideration is requested.

**REJECTIONS UNDER 35 U.S.C. § 102**

Claims 1 – 6, 8, and 10 - 13 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Watanabe (US 6,428,206 B1).

Claim 1 and 4 disclose a positioning device or a patient-support device comprising “an X-ray detector or an X-ray source, **but not both**, supported on the arched arm and displaceable in the direction of the arch of the arched arm.”

Watanabe disclose an apparatus having an X-ray detector 2 **and** an X-ray generator 1. The Examiner pointed out that both the X-ray detector 2 and the X-ray generator 1 are supported on an arm 4. Watanabe provides a C-arm type structure, which supports both the detector and source (see Figures 2, 3, 6, 12-17). The arch

arms support the C-arm type structure. Watanabe does not teach or suggest the arched arm supporting the detector or the source and the other of the detector or the source separately supported. Therefore, Claims 1 and 4 are allowable over the cited reference.

Independent claims 6 and 8 recite the other of the X-ray detector or the X-ray source supported movably in all directions in space and located separately from the patient-support device. As discussed above, Watanabe does not disclose support of a detector or x-ray source separate from the patient-support device where the patent-support device has the arch arms. Therefore, Claims 6 and 8 are allowable over the cited reference.

Dependent claims 2, 3, 5 and 10-13 depend on allowable claims 1, 4, 6 and 8, so are allowable for at least this reason.

#### **REJECTIONS UNDER 35 U.S.C. § 103**

Claims 7, 9, 14 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Watanabe.

The Examiner alleges Watanabe teaches most of the elements of the claimed invention. However, in all the figures in Watanabe, both the X-ray source and the detector are attached to the same arm. Thus, the claimed control unit by the applicants is different from Watanabe disclosed since the X-ray detector and the X-ray source are separately located. Therefore, claims 7, 9, 14 and 15 are allowable over the cited reference.

Further, claims 7, 9, 14 and 15 are allowable for the same reason the independent claims 1, 4, 6 and 8 are allowable.

**CONCLUSION**

Based on the above remarks, Applicants respectfully submit that the claims are in condition for allowance. The Examiner is kindly invited to contact the undersigned attorney to expedite allowance.

Respectfully submitted,

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